

HERALD WANT ADS BRING THE BEST RESULTS—ONE CENT A WORD

TRUST TO FACE TRIAL

Indictments Against Standard Oil of Indiana Upheld.

ACCUSED OF 6,325 OFFENSES

Prosecution Grows Out of Alleged Accepting Rebates on Shipments to Refineries—Maximum Fines in Case of Conviction Would Aggregate \$126,500,000—Rate Law Construed.

Chicago, Jan. 3.—Judge Landis, in the United States District Court, to-day, overruled the demurrer of the Standard Oil Company, of Indiana, to eight indictments pending against that corporation, but sustained the demurra as to two other indictments, because of technical defects.

The indictments charge accepting preferential rates on oil shipments to the Whiting (Ind.) refineries. The total maximum fines, in case of conviction, would aggregate \$126,500,000.

"These prosecutions," said the court, "are for alleged violation of section 1 of the act approved February 19, 1903, known as the Elkins law. The charge is that the defendant obtained the transportation of its property by various railway companies at rates less than those named in the carriers' published schedules. The offenses are alleged to have been committed prior to the enactment of the law approved June 29, 1906, known as the rate law. The indictments were returned April 27, 1906."

Upholds 6,325 Counts.

Out of the ten indictments Judge Landis found two defective. The others stand. They include 6,325 counts. Had individuals been indicted, a penitentiary sentence might have gone with conviction. Since a corporation cannot be imprisoned, the worst the court can do is to assess a maximum fine of \$20,000 on each count.

The indictments were returned under an amendment to the Elkins law.

The oil company maintains that, if it violated any law at all, it was not the amended statute, but the old Elkins law. The latter statute, it was argued, was virtually repealed by the terms of the amendment.

On this ground the company declared itself immune from prosecution and defrauded to the indictments. Judge Landis takes a different view.

Old Law Strengthened.

"It is the courts' duty," he said, "to enforce the will of Congress. That object was the establishment of uniform railroad rates, reasonable in amount. The former law failed to accomplish this, and was, therefore, strengthened. Instead of being wiped off the books, additional and severer penalties were created and more drastic penalties were created.

The court is asked to hold that this same Congress intended to pardon all unindicted prior offenders whose conduct, more than all other causes, moved the court to change the statute.

Judge Landis considered this contention ridiculous, and overruled the demursers.

"It is also urged," continued the court, "that some of these indictments are bad, because they charge the defendant with securing less than the legal rates on shipments beyond the carrier's own lines, the argument being that the law only requires a carrier to publish rates on its own road."

Two Indictments Dismissed.

The court does not understand the law. When the carrier publishes a rate the law regards it as thereby announcing that it has facilities for transportation between the points scheduled. Whether part of the distance is covered over leased lines or by some traffic arrangement is immaterial."

The two defective indictments were quashed, because as the prosecution admits, the grand jury found itself unable to draw a bill covering the maze of combinations, local and through rates, required to prevail on the railroads "to defeat the Elkins law."

The railroads figuring in this alleged combination were the Chicago Terminal Transfer, Chicago and Eastern Illinois, Evansville and Terre Haute, and Illinois Central companies.

Attorneys for the oil company refused to comment on the decision. United States District Attorney Simms says it marks the beginning of real government control of railroads.

CLEVELAND BANKER GONE.

POLICE CALLED OUT TO QUELL DISTURBANCE OF EXCITED DEPOSITORS.

Cleveland, Ohio, Jan. 3.—The private bank of Colman Denko, on the West Side, was taken in charge last night by constables, and they are making a search of the city for Denko, who has not been seen since Sunday.

The bank was patronized by Hungarians and other foreigners. Denko himself being a Hungarian, and it is said that the depositors represented a large amount of their savings.

Last night a crowd of several hundred foreign depositors in the city collected about the place, and the servants of the women and children, together with threats of rioting on the part of the men, resulted in an extra detail of police being called out.

GRAIN MARKETS.

Quotations furnished by Charles G. Gates & Co., members Chicago Board of Trade, Money Building.

CHICAGO.

WHEAT. Open. High. Low. Close. May..... 78¢ 79¢ 75¢ 75¢ July..... 78¢ 79¢ 75¢ 75¢

CORN. May..... 43¢ 43¢ 43¢ 43¢ July..... 41¢ 43¢ 43¢ 43¢

OATS. May..... 36¢ 36¢ 36¢ 36¢ July..... 36¢ 36¢ 36¢ 36¢

PORK. January..... 16.70 16.75 16.75 16.67

LARD. May..... 9.50 9.55 9.20 9.02 July..... 9.50 9.55 9.20 9.00

BEEF. May..... 9.00 9.07 9.00 9.05 July..... 9.15 9.17 9.10 9.05

CORN—Weaker; fairly active. No. 2, elevator, 32¢. No. 2, new, 30¢. No. 2, No. 3, 28¢. No. 3, 26¢. No. 4, 24¢. No. 5, 20¢. No. 6, 18¢. No. 7, 16¢. No. 8, 14¢. No. 9, 12¢. No. 10, 10¢. No. 11, 8¢. No. 12, 6¢. No. 13, 4¢. No. 14, 2¢. No. 15, 1¢. No. 16, 1¢. No. 17, 1¢. No. 18, 1¢. No. 19, 1¢. No. 20, 1¢. No. 21, 1¢. No. 22, 1¢. No. 23, 1¢. No. 24, 1¢. No. 25, 1¢. No. 26, 1¢. No. 27, 1¢. No. 28, 1¢. No. 29, 1¢. No. 30, 1¢. No. 31, 1¢. No. 32, 1¢. No. 33, 1¢. No. 34, 1¢. No. 35, 1¢. No. 36, 1¢. No. 37, 1¢. No. 38, 1¢. No. 39, 1¢. No. 40, 1¢. No. 41, 1¢. No. 42, 1¢. No. 43, 1¢. No. 44, 1¢. No. 45, 1¢. No. 46, 1¢. No. 47, 1¢. No. 48, 1¢. No. 49, 1¢. No. 50, 1¢. No. 51, 1¢. No. 52, 1¢. No. 53, 1¢. No. 54, 1¢. No. 55, 1¢. No. 56, 1¢. No. 57, 1¢. No. 58, 1¢. No. 59, 1¢. No. 60, 1¢. No. 61, 1¢. No. 62, 1¢. No. 63, 1¢. No. 64, 1¢. No. 65, 1¢. No. 66, 1¢. No. 67, 1¢. No. 68, 1¢. No. 69, 1¢. No. 70, 1¢. No. 71, 1¢. No. 72, 1¢. No. 73, 1¢. No. 74, 1¢. No. 75, 1¢. No. 76, 1¢. No. 77, 1¢. No. 78, 1¢. 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